

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

UNITED STATES OF AMERICA, ex rel.
DANDY,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY., et. al.

Defendants.

Civil Action No. 7:12-CV-9-BO

FILED UNDER SEAL

ORDER

Pursuant to Fed. R. Civ. P. 41 and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States, defendant General Electric Hitachi Nuclear Energy Americas, LLC, and the relator, LeRay Dandy, (collectively the Parties) have reached a settlement in the above-captioned action.

The Parties have reached an agreement to settle claims under the False Claims Act in this litigation. The Parties agree that, except as specifically provided in 31 U.S.C. § 3730(d), each party will bear its own costs, expenses and attorneys' fees. Accordingly, in light of the Stipulation of Partial Dismissal and Request to Unseal, the Court rules as follows:

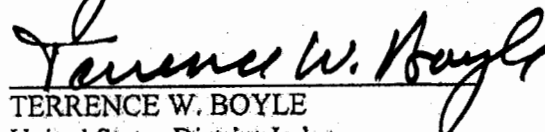
IT IS ORDERED that the case is partially DISMISSED with prejudice as to the relator and with prejudice as to the United States to the extent of the "Covered Conduct" as that term is

defined in the Settlement Agreement between the United States, Relator, and Defendant General Electric Hitachi Nuclear Energy Americas, LLC dated November 22, 2013, and otherwise without prejudice as to the United States. The relator's claim for relief from retaliatory action pursuant to 31 U.S.C. § 3730(h), however, is not dismissed. Additionally, the Court retains jurisdiction over this matter to enforce the terms of the Settlement Agreement; to determine the attorneys' fees, costs and expenses due the relator, if any, pursuant to 31 U.S.C. § 3730(d), if the relator and Defendants are unable to reach agreement; and to determine the relator's share of the proceeds due, if any, pursuant to 31 U.S.C. § 3730(d), if the United States and relator are unable to reach an agreement. In all other respects, this case is dismissed. The United States and Defendants each will bear their own costs, expenses, and attorneys' fees.

IT IS FURTHER ORDERED that:

1. The relator's complaint, the Government's Notice of Election to Intervene, the Stipulation of Partial Dismissal and Request to Unseal, and this Order, be unsealed;
2. All other papers or Orders on file in this matter shall remain under seal;
3. The seal shall be lifted on all matters occurring in this action after the date of this Order.

IT IS SO ORDERED this 17 day of January 2014


TERRENCE W. BOYLE
United States District Judge